

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Christina Melito, Christopher Legg, Alison Pierce, et al

*Plaintiff*

v.

American Eagle Outfitters, Inc., et al.

*Defendant, Third-party plaintiff*

v.

Experian Marketing Solutions, Inc.

*Third-party defendant*

Civil Action No. 1:14-cv-02440 (VEC)

SUMMONS ON A THIRD-PARTY COMPLAINT

To: *(Third-party defendant's name and address)*

Experian Marketing Solutions, Inc.  
c/o C T Corporation System  
111 Eighth Avenue  
New York, New York 10011

A lawsuit has been filed against defendant American Eagle Outfitters, Inc., who as third-party plaintiff is making this claim against you to pay part or all of what the defendant may owe to the plaintiff Christina Melito, Christopher Legg, Alison Pierce, et al.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Richard T. Victoria

Gordon & Rees Scully Mansukhani, LLP, 707 Grant Street, Suite 3800, Pittsburgh, PA 15219

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:  
Please see the attached list for Plaintiffs' counsels names and addresses

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Date: \_\_\_\_\_

CLERK OF COURT

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. 1:14-cv-02440 (VEC)

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_  
 \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**Plaintiffs' Counsel**

Joseph A. Fitapelli  
Email: jfitapelli@fslawfirm.com  
Brian Scott Schaffer  
Email: bschaffer@fslawfirm.com  
Frank Joseph Mazzaferro  
Email: fmazzaferro@fslawfirm.com  
Fitapelli & Schaffer, LLP  
475 Park Avenue South, 12th Floor  
New York, NY 10016

Scott D. Owens  
E-mail: scott@scottdowens.com  
Patrick C. Crotty  
Email: pccrotty@gmail.com  
SCOTT D. OWENS, P.A.  
3800 S. Ocean Drive, Suite 235  
Hollywood, Florida 33019

Joseph J. Siprut  
Email: jsiprut@siprut.com  
Ismael T. Salam  
Email: isalam@siprut.com  
SIPRUT PC  
17 N. State Street, Suite 1600  
Chicago, IL 60602

Vincent D. Howard  
Email: vhoward@howardlawpc.com  
Gregory H.D. Alumiit  
Email: galumiit@howardlawpc.com  
Howard Law, PC  
675 Anton Boulevard, First Floor  
Costa Mesa, California 92626

Beth E. Terrell  
Email: bterrell@tmdwlaw.com  
Mary Reiten  
Email: mreiten@tmdwlaw.com  
[Email: AMcEntee@tmdwlaw.com](mailto:AMcEntee@tmdwlaw.com)  
TERRELL MARSHALL DAUDT &  
WILLIE PLLC  
936 North 34th Street, Suite 300  
Seattle, Washington 98103-8869

Keith J. Keogh  
Email: keith@keoghlaw.com  
Michael S. Hilicki  
Email: mhilicki@keoghlaw.com  
KEOGH LAW, LTD  
55 W. Monroe Street, Suite 3390  
Chicago, Illinois 60603

Bradley K. King  
Email: bking@ahdootwolfson.com  
AHDoot & WOLFSON, PC  
1016 Palm Avenue  
West Hollywood, CA 90069

David M. Arbogast  
Email: david@arbogastlawpc.com  
Arbogast Law  
8117 W. Manchester Avenue, Suite 530  
Playa Del Rey, California 90293